

REMARKS

Claims 1-18, 41-46, 50-55, and 59-70 are currently pending in the present application, with Claims 19-40, 47-49, and 56-58 being canceled, Claims 1, 3-6, 8-10, 13-15, 18, 41-46, and 50-55 being amended, and new Claims 59-70 being added. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1-18, 52, and 55 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims and respectfully submit that the amended claims comply fully with the requirements of 35 U.S.C. 112.

The Examiner rejected Claims 1-18, 41-46, and 50-55 under 35 U.S.C. 103(a) as being unpatentable over Blass et al. (U.S. Patent no. 6,296,489). This rejection is respectfully traversed with respect to the amended claims.

The present invention as claimed is directed to a system (as well as various components thereof) for transmitting and/or receiving advertisement information, wherein the advertisement information is related to musical performance equipment. In particular, with respect to amended Claim 1, a server apparatus receives, from a client apparatus, client information that includes information indicative of a type of performance equipment being used for musical training. The server, on the basis of the received client information, selects advertisement information that is associated with the indicated performance equipment, and transmits the advertisement information back to the client apparatus. Other independent claims include similar limitations and are directed to other system components such as the client apparatus, as well as methods and computer program medium for performing the same.

As the Examiner acknowledged in the Detailed Action, Blass does not contain any disclosure or suggestion of receiving or transmitting information related to performance equipment, or selecting advertisement information relating to such. However, the Examiner indicated that the previously pending claims did not sufficiently recite this feature. Applicant has amended the claims to further clarify the invention by emphasizing this aspect of the present invention, and respectfully submits that the amended claims overcome Blass as one skilled in the art at the time of the this application would not have considered such features to be obvious. Accordingly, Applicant respectfully submits that Claims 1-18, 41-46, and 50-55 are not obvious in view of Blass.

New claims 59-70 have been added to claim additional aspects of the present invention, and are respectfully submitted as in condition for allowance.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.*. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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